

REMARKS/ARGUMENTS

These remarks are submitted in response to the Office Action dated February 22, 2008 (Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due. However, the Examiner is expressly authorized to charge any deficiencies to Deposit Account No. 50-0951.

Claim Rejections – 35 USC § 112

Claims 1-18 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. More specifically, it was asserted that the limitation "searching among a plurality of files" as recited in Claims 1, 8, and 16 is not supported by the specification.

Although Applicants believe that searching among the files is implied in order to distinguish between the user-defined grammar files and the built-in grammar files, the limitation "searching among a plurality of files" has been deleted so as to facilitate prosecution.

In view of the above, Applicants respectfully request that the claim rejections under 35 U.S.C. § 112, first paragraph, be withdrawn.

Claim Rejections – 35 USC §§ 102 & 103

Claims 1, 3, 5, 7, 8, 10, 12, 14, 16, and 18 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Published Patent Application No. 2004/0125142 to Mock, *et al.* (hereinafter Mock). Claims 2, 4, 6, 9, 11, 13, 15, and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Mock in view of U.S. Published Patent Application No. 2005/0251748 to Gusmorino, *et al.* (hereinafter Gusmorino).

Although Applicants respectfully disagree with the rejections, Applicants have amended the claims so as to expedite prosecution of the present application by emphasizing certain aspects of the invention. However, such amendments should not be interpreted as the surrender of any subject matter, and Applicants expressly reserve the right to present the original version of any of the amended claims in any future divisional or continuation applications from the present application.

Applicants have amended independent Claims 1, 8, and 16 to further emphasize certain aspects of the invention. As discussed herein, the claim amendments are fully supported throughout the Specification. No new matter has been introduced by the claim amendments.

Aspects of Applicants' Invention

It may be helpful to reiterate certain aspects of Applicants' invention prior to addressing the cited references. One embodiment of the invention, as typified by amended Claim 1, is a method of arranging grammar files in a presentation list.

The method can include receiving a request to visually display in a graphical user interface the grammar files in the presentation list; and distinguishing between a first subset of files that contain user-defined grammars, each defining a user-defined grammar file, and a second subset of files that contain built-in grammars, each defining a built-in grammar file. A user-defined grammar file is written by a user of a call-flow application and a built-in grammar file was available when the call-flow application was installed.

The method also can include sorting the grammar files based on a first criterion that assigns the first subset of files priority over the second subset of files; sorting the grammar files within the first subset of files and the grammar files within the second subset of files according to a second criterion; simultaneously displaying the first subset of files and the second subset of files within the presentation list such that the user-defined grammar files in the first subset of files are presented ahead of the built-in grammar files in the second subset of files; and partitioning the first subset of files and the second subset of files by a visual aid.

See, e.g., Specification, paragraphs [0016] to [0019].

The Claims Define Over The Prior Art

Mock discloses a method for organizing and displaying multiple calendars from multiple devices to give an appearance of single user calendar on a user's device. Each calendar event having an associated user category is organized on the basis of a display

preference selected by the user. Calendar events displayed have different visual attributes based on the corresponding associated users. See the Abstract.

However, Mock does not disclose sorting the grammar files based on a first criterion that assigns the first subset of files priority over the second subset of files; sorting the grammar files within the first subset of files and the grammar files within the second subset of files according to a second criterion; simultaneously displaying the first subset of files and the second subset of files within the presentation list such that the user-defined grammar files in the first subset of files are presented ahead of the built-in grammar files in the second subset of files; and partitioning the first subset of files and the second subset of files by a visual aid, as recited in independent Claims 1, 8, and 16.

More particularly, it is first noted that Mock does not at all disclose a presentation list, but rather calendar schedules or tables. A list normally consists of a simple series of words or numerals that are arranged in a single column or row. Second, Mock does not disclose sorting the subsets of files using a first criterion and sorting the files within each subset using a second criterion. Third, Mock does not disclose displaying the user-defined grammar files ahead of the built-in grammar files. Fourth, Mock does not disclose partitioning the first subset of files and the second subset of files by a visual aid such as a space, a dashed line, and a group header.

In the present invention the higher priority items (user-defined grammars) are placed first in the grammar list to make it easier for the developer who created the custom grammars to view and select items, while still making the lower priority items available to the developer in the grammar list. Mock does not disclose the "priority" in the sense of the present invention.

It was asserted in the second paragraph on page 5 of the Office Action that "the manner in which the files are presented in a list merely represents an arrangement of data, and does not change/impart any functionality of the system/computer. Therefore, the limitation holds no patentable weight because it only represents nonfunctional descriptive material."

Applicants respectfully disagree. One object of the present invention is to make the grammar list more useful and usable than an unstructured or otherwise-structured (e.g., alphabetically ordered) list, which improves the functionality of the system/computer from the user's point of view. The present invention has the capability to arrange grammar files in a presentation list where each file name in the list is sorted first based on whether the file is created by the user or is system or built-in, then on a secondary attribute such as position in an alphabetical list. Using this list strategy for grammar files, a callflow designer will be able to select grammar files faster, and with better accuracy. See Specification, paragraph [0011]. The present invention thus improves the overall usability of the system.

It is also noted that the events of Mock are all user-defined. It was asserted in the fourth paragraph on page 4 of the Office Action that "the other users' (father, son, daughter) events are considered built-in files because they are incorporated into the mother's device". However, the other users' events do not exist at the start of the system - someone had to create those events using an application. Therefore, those events are not built-in files or system files in the sense of the present invention.

It was asserted in the third paragraph on page 5 of the Office Action that "The last limitation, 'wherein when a built-in grammar file and a user-defined grammar file share the same name designation, the user-defined file is presented above the built-in grammar file' is optionally stated. The user-defined file is only presented above the built-in file when/if the files share the same name. Therefore, when the files have different names (as in the Mock reference), this limitation holds no patentable weight."

It is not clear to the Applicants how this limitation is optionally stated and how the Examiner arrived at the conclusion that the user-defined file is only presented above the built-in file when/if the files share the same name and when the files have different names, it being asserted that this limitation holds no patentable weight. Applicants respectfully note that the user-defined grammar files appear above (higher priority) the built-in grammar files - not only when the files have the same name, but the entire subset

of the user-defined grammar files appears above the entire subset of the built-in grammar files. This can be clearly seen in the examples in Specification, paragraphs [0016] and [0017].

Accordingly, Mock fails to disclose or suggest each and every element of Claims 1, 8, and 16, as amended. Applicants therefore respectfully submit that amended Claims 1, 8, and 16 define over the prior art. Furthermore, as each of the remaining claims depends from Claim 1, 8, or 16 while reciting additional features, Applicants further respectfully submit that the remaining claims likewise define over the prior art.

Applicants thus respectfully request that the claim rejections under 35 U.S.C. §§ 102 & 103 be withdrawn.

CONCLUSION

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

Date: May 22, 2008

/Richard A. Hinson/
Gregory A. Nelson, Registration No. 30,577
Richard A. Hinson, Registration No. 47,562
Yonghong Chen, Registration No. 56,150
AKERMAN SENTERFITT
Customer No. 40987
Post Office Box 3188
West Palm Beach, FL 33402-3188
Telephone: (561) 653-500